| Notice of Allowability  | Application No. Applicant(s)  |  | <del>,_</del> <u>-</u> |
|---|---|--|------------------------|
|   | 09/973,596  | LOUIS ET AL.   |                        |
|   | Examiner  | Art Unit   |                        |
|   | BINH K. TIEU  | 2643   |                        |
| The MAILING DATE of this communication a All claims being allowable, PROSECUTION ON THE MERITS herewith (or previously mailed), a Notice of Allowance (PTOL- NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATEN of the Office or upon petition by the applicant. See 37 CFR 1.  | IS (OR REMAINS) CLOSED in 85) or other appropriate community RIGHTS. This application is a                                | n this application. If not included unication will be mailed in due co   | ourse. <b>THIS</b>     |
| 1. This communication is responsive to 10/09/01.  |   |  |                        |
| 2. The allowed claim(s) is/are <u>1-23</u> .  |   |  |                        |
| 3. $\boxtimes$ The drawings filed on <u>09 October 2001</u> are accepted by   | y the Examiner.   |  |                        |
| <ul> <li>4. Acknowledgment is made of a claim for foreign priority a) All b) Some* c) None of the: <ol> <li>Certified copies of the priority documents here.</li> <li>Certified copies of the priority documents here.</li> <li>Copies of the certified copies of the priority International Bureau (PCT Rule 17.2(a)).</li> </ol> </li> <li>* Certified copies not received: <ol> <li>Applicant has THREE MONTHS FROM THE "MAILING DAT noted below. Failure to timely comply will result in ABANDO THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.</li> </ol> </li> </ul> | have been received.  Have been received in Application  Hodocuments have been received  TE" of this communication to file | n No I in this national stage applicatio   |                        |
| 5. A SUBSTITUTE OATH OR DECLARATION must be su INFORMAL PATENT APPLICATION (PTO-152) which  | bmitted. Note the attached EXA gives reason(s) why the oath or  | MINER'S AMENDMENT or NO declaration is deficient.  | TICE OF                |
| 6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") r  (a) ☐ including changes required by the Notice of Draftsp  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  (b) ☐ including changes required by the attached Examir Paper No./Mail Date  Identifying indicia such as the application number (see 37 CF   | person's Patent Drawing Review —— ner's Amendment / Comment or  R 1.84(c)) should be written on th                        | in the Office action of  | ack) of                |
| each sheet. Replacement sheet(s) should be labeled as such 7. DEPOSIT OF and/or INFORMATION about the deattached Examiner's comment regarding REQUIREMENT.  | eposit of BIOLOGICAL MATE   | RIAL must be submitted. No   | te the                 |
| <ul> <li>Attachment(s)</li> <li>1. ☑ Notice of References Cited (PTO-892)</li> <li>2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-94)</li> <li>3. ☑ Information Disclosure Statements (PTO-1449 or PTO/S Paper No./Mail Date 10/9/01, 5/20/03)</li> <li>4. ☐ Examiner's Comment Regarding Requirement for Depos of Biological Material</li> </ul>  | 8) 6. Interview Su<br>Paper No./I<br>B/08), 7. Examiner's   | ormal Patent Application (PTO-<br>Immary (PTO-413),<br>Mail Date<br>Amendment/Comment<br>Statement of Reasons for Allowa |                        |

Application/Control Number: 09/973,596

Art Unit: 2643

## **DETAILED ACTION**

## Allowable Subject Matter

- 1. Claims 1-23 are allowed.
- 2. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to clearly teach or fairly suggest a method for reducing a spurious frequency response in direct conversion and very low intermediate frequency receivers, comprising, inter alia, the feature of operating the chopping mixer at a chopper frequency different than the first chopper frequency if the bit error rate (BER) of the mixed RF signal exceeds a specified error level, as substantially described and connected to independent claim 1. Similarly, the prior art of record also fails to clearly teach or fairly suggest a method for reducing a spurious frequency response in direct conversion and very low intermediate frequency receivers operating in a channel hopping mode, comprising, inter alia, the feature of changing the chopper frequency of the chopping mixer to a frequency other than the first chopper frequency only for the RF signals having confidence factors lower than the confidence factors of the other RF signals, as substantially described and connected to independent claims 12, 16 and 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2643

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-

305-4700).

BINH TIEU PRIMARY EXAMINER

Art Unit 2643

Date: September 02, 2004